

## EPA Official Record

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**Notes ID:** A616D9477A83DDD28525773F007555E8

**From:** Dan Opalski/R10/USEPA/US

**To:** Brandon Perkins/R10/USEPA/US@EPA

**Copy To:** Sylvia Kawabata/R10/USEPA/US@EPA

**Delivered Date:** 06/11/2010 02:21 PM PST

**Subject:** Re: Fw: Flint Hills Refinery - Sulfolane Contamination - North Pole, Alaska

Brandon --

Thanks. This all tracks very closely with a call I did have earlier this afternoon with Larry and Dan Easton. I'll likely want a quick meeting on Monday to catch everyone up and confirm next steps. DanO.

▼ Brandon Perkins

----- Original Message -----

**From:** Brandon Perkins

**Sent:** 06/11/2010 02:10 PM PDT

**To:** Dan Opalski

**Cc:** Sylvia Kawabata

**Subject:** Re: Fw: Flint Hills Refinery - Sulfolane Contamination - North Pole, Alaska  
Hi Dan,

Deliberative

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Steve asked if EPA could route all communications to DEC concerning the site to him and Ann. We said we would do so.

Sylvia, did I sum everything up?

I'm not sure why Larry stated attempts to address the concerns at the program level have not been successful. I have been in communication/working with Ann Farris on this since we received the PA petition. I actually spoke with her this morning on another issue about this site and I asked her about this email. In talking with her I gleamed that Larry's main concerns are 1) conducting a PA on this site will automatically lead to listing the site on the NPL, 2) if EPA conducts the PA, the public will perceive that EPA agrees with ACAT's statements in the letter, and 3) RCRA has been involved at the site therefore there is no need for CERCLA.

Hope this helps. Let me know if you need additional information.

Brandon Perkins  
Office of Environmental Cleanup  
U.S. Environmental Protection Agency, Region 10  
206-553-6396

▼ Sylvia Kawabata---06/11/2010 09:20:49 AM---Can you write up in a short briefing to Dan Opalski, our discussions with Steve Bainbridge on ACAT's

From: Sylvia Kawabata/R10/USEPA/US  
To: Brandon Perkins/R10/USEPA/US@EPA  
Cc: "Dan Opalski" <opalski.dan@epa.gov>  
Date: 06/11/2010 09:20 AM  
Subject: Fw: Flint Hills Refinery - Sulfolane Contamination - North Pole, Alaska

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Can you write up in a short briefing to Dan Opalski, our discussions with Steve Bainbridge on ACAT's petition.

Sent by EPA Wireless E-Mail Services

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**From:** Dan Opalski  
**Sent:** 06/10/2010 11:00 PM EDT  
**To:** "CALVIN TERADA" <terada.calvin@epa.gov>; Denise Baker; "Chris Field" <field.chris@epa.gov>; "Sylvia Kawabata" <kawabata.sylvia@epa.gov>  
**Cc:** "Marcia Combes" <combes.marcia@epa.gov>; "Lori Cohen" <cohen.lori@epa.gov>  
**Subject:** Fw: Flint Hills Refinery - Sulfolane Contamination - North Pole, Alaska  
All:

Deliberative

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thx, DanO.

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**From:** "Dietrick, Larry V (DEC)" [larry.dietrick@alaska.gov]  
**Sent:** 06/10/2010 05:36 PM PST  
**To:** Dan Opalski  
**Cc:** "Dietrick, Larry V (DEC)" <larry.dietrick@alaska.gov>; "Easton, Dan (DEC)" <dan.easton@alaska.gov>; "Fishwick, Claire (DEC)" <claire.fishwick@alaska.gov>  
**Subject:** Flint Hills Refinery - Sulfolane Contamination - North Pole, Alaska  
Dan.....

We would like to discuss EPA's proposed action to conduct a PA/SI at the Flint Hills site in response to correspondence addressed to Dennis J. McLerran, dated May 21, 2010. (attached)

We are requesting elevation of this issue because attempts to address the concerns at the program level have not been successful.

We strongly disagree with the second to last paragraph "..... ADEC and the Alaska Department of Health and Social Services are aware of the situation but have not properly characterized the extent of the sulfolane contamination and have not mandated cleanup of the chemical spill. The state agencies have not taken proper actions to assess exposure pathways/health outcomes and ensure protection of environmental and human health." This is totally unfounded and untrue. It is a complete misrepresentation of the facts and the substantial work that has been completed and that is underway. Such claims are a gross misrepresentation to the public of the actions taken to mitigate the impacts.

For EPA to accept this as a valid premise and ignore what assessment and actions have already been taken such that it is necessary to initiate a PA/SI would be unacceptable. DEC welcomes any constructive comments or identification of any issues or concerns which we have not addressed. To date EPA has offered none and the correspondence does not identify any specific items or examples that have not already been addressed or that would support their claim or that contribute anything to improving protection of public health and the environment that have not already been addressed. The work done to date has met and exceeded a PA/SI and has been made available to EPA for review. We welcome EPA review and input but we cannot interrupt the current aggressive schedule of studies, reports, analysis and other actions that are underway to protect public health and the environment to duplicate what has already been done.

We would very much appreciate your consideration of this matter and will ask Claire Fishwick to try and schedule a time to discuss by phone tomorrow with myself and Dan Easton

We appreciate the good working relationships you have fostered over the years and look forward to addressing the false claims being made about this site.

Thanks, Larry Dietrick 465-5255[attachment "ACAT EPA sulfolane petition letter\_5-21-2010.pdf" deleted by Brandon Perkins/R10/USEPA/US]